

**Date:** April 4, 2016  
**To:** Lewis County Planning Commission  
**From:** Fred Evander, Senior Long Range Planner  
**RE:** **PUBLIC HEARING: POTENTIAL REVISIONS TO LCC TITLES 16 AND 17**  
**Attachments:** Draft Revisions to Titles 16 and 17 based on Changes to LCC 17.05 – Part 1 (126 pages)  
Draft Revisions to Titles 16 and 17 based on Changes to LCC 17.05 – Part 2 (134 pages)

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The purpose of this staff report is to introduce potential revisions to Titles 16 and 17 of the Lewis County Code for a Public Hearing on April 26, 2016. These changes are proposed to be made to accommodate changes to LCC Chapter 17.05 that are meant to simplify the permit review process in Lewis County.

## **BACKGROUND**

The existing Lewis County Code contains several duplicative and/or unorganized permit processing provisions. As written, the existing code contains:

- At least eight different ways to process a permit.
- At least eight different methods to provide notice for an application.
- At least twelve sections that explain the different application requirements for certain types of permits.
- At least seventeen sections that deal with the methods to appeal a permit.

This multitude of different provisions, as well as the unclear placement of the provisions within the code, makes the administration of the code difficult for staff and confusing for applicants.

## **PROPOSED CHANGES TO CODE**

As written, the draft revisions are meant to streamline the processes for permit review, and consolidate the different methods of processing applications to promote improved clarity and understanding of the code.

The proposed code revisions would address the majority of permit review processes in Chapter 17.05, and remove all similar or duplicative review processes that are scattered elsewhere throughout Titles 16 and 17 (see the attached documents, Draft Revisions to Titles 16 and 17 – Parts 1 and 2).

Sections that would be placed in the new Chapter 17.05, and removed from the remainder of Titles 16 and 17, include:

- The different types of permit application.
- The required contents of an application.
- Requirements regarding how project review should occur.
- Specific requirements for sending out notice for applications.
- Standards for how public hearings are handled.

## POTENTIAL REVISIONS TO LCC TITLES 16 AND 17

- Standards about the timing and duration of decisions.
- Standards about how to appeal land use decisions.

The proposed changes to Titles 16 and 17 would also:

- Add clarity to the various master plan review processes to better match the code to the requirements of the Growth Management Act.
- Collect the various resource land notifications in one location (see draft Section 17.30.370).
- Combine all airport overlay zones into one chapter (see Chapter 17.80)
- Group the special use provisions in one area (see Chapter 17.158).
- Group the administrative approval sections (see Chapter 17.160).
- Consolidate the variance provisions in one chapter (see Chapter 17.162)

All told, staff believe that the changes would drastically simplify the code, remove all or most of the duplicative provisions that are found within the regulations, and make the requirements easier for staff and applicants to utilize.

### REVIEW

The Planning Commission will conduct a Public Hearing to receive public testimony about the code changes on April 26, 2016. As of the date of this report, public comment about the proposed changes has focused on better articulating the County timeframes for permit review. Staff drafted Section 17.05.125 to address this comment. Pending the receipt of additional comments, further changes to the draft code may be necessary.

Staff sent a 60-Day Notice of Intent to Adopt Amendments to the Washington State Department of Commerce on March 25, 2016, and has received no comments from state agencies as of the date of this report.

No State Environmental Policy Act (SEPA) determination has been made on the proposed code changes at this point. A SEPA determination on the proposed draft will be made at some point between the Planning Commission and Lewis County Board of County Commissioners Public Hearings.

### RECOMMENDATION

Staff recommends that the Planning Commission takes testimony on the proposed changes to Titles 16 and 17, based on the draft changes to Chapter 17.05. Pending public comment on the proposal, the Planning Commission may vote to recommend that the Lewis County Board of County Commissioners approve of the changes, or conduct further work on the proposal as written.